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San Bernardino County Superintendent of Schools



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November 19, 2009

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Dear Ms. Dortch:

Following are comments with regard to the call for public comments regarding E-rate, education, and the National Broadband Plan.

**Comments NPB Public Notice #15**  
**GN Docket Nos. 09-47, 09-51, 09-137**  
**CC Docket No. 02-6**  
**WC Docket No. 05-195**

**Section 11: E-Rate Modifications**

- The questions about E-Rate and the national broadband plan suggest that the FCC is seeking to use the E-Rate program to fund a national broadband plan. This is the reverse of the approach that the FCC should take. The result of a successful national broadband plan should reduce the cost and increase the capacity and reliability of broadband connectivity available to schools through the E-Rate program. As demonstrated by the ever increasing Free and Reduced Lunch Percentage required to be eligible for Internal Connections reimbursements from the E-Rate program (Priority 2), there is already not enough funding to satisfy the demand.
- We are in support of the following modifications to the E-Rate program, only if they are accompanied by a commensurate increase in funding:
  - Eligibility of Statewide Regional Education Networks
  - Eligibility of Colleges
  - Eligibility of broadband providing educational service to the community
  - Making caching, filtering, packet shaping, and wan acceleration devices eligible for E-Rate discounts.

**Section 12: E-Rate Disbursement**

- The lack of service provider infrastructure is a problem in many areas of the USA that can only be solved with a huge capital investment in infrastructure. Utilizing the E-Rate program for such investment would threaten the ability of existing successful E-Rate funded programs to function by reducing the funding reimbursed through the E-Rate program.
- While we do not endorse a change to the disbursement and discount methodology, any change to the disbursement and discount methodology should have a 5 year timeframe for implementation to prepare.


- Allowing the owned fiber infrastructure of state and regional educational networks to be eligible for E-Rate would remove a barrier currently blocking funding for services to these networks.
- A national broadband goal for schools would have no effect without adequate funding to enable it.

**Section 13: E-Rate Funding**

- The ever higher threshold on the Free and Reduced Lunch Percentage required to be eligible for Internal Connections funding (Priority 2) clearly demonstrates that the cap of \$2.25 billion is limiting broadband deployment for schools.
- With a cap of \$2.25 billion, any increase in the use of Priority 1 funding (or adding another higher priority level) will decrease the availability of funding to the lower priorities (which are currently capped at a ever-increasing Free and Reduced Lunch Percentage requirement).
- Changes to the funding model for E-Rate will primarily result in a shift of funding from one school district to another, degrading the programs of the previous district and improving the programs of the other.

Thank you for the opportunity to comment.

Sincerely,



Jeremy Powell  
Program Manager  
Information Technology  
San Bernardino County Superintendent of Schools